FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Civil Application No. 5694/2007 IN Second Appeal No. 288/2006
(Smt.Pushpa Madhukar Barde (Dead) Thr. L.R's i) Dhananjay Madhukar Barde & others **VERSUS** Badridas Rupramji Taori **)**

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Mr. Kotwal, Advocate for the appellant.
Mr. Jajoo, Adv. H/f Mr.Gilda, Advocate for the respondent.

CORAM : Smt. Vasanti A. Naik, J.
DATE : 16th August, 2007.

Heard the learned counsel for the parties.

By this civil application, the applicant seeks a disposal of the second appeal on the basis of the terms and conditions stated in the civil application.

It is submitted by the counsel for the appellant that the civil application is signed by all the parties to the second appeal. It appears that the appellant and the respondent have mutually agreed to sell the suit property and have further agreed to divide the sale consideration between the appellant and the respondent. It is further stated in the civil application that the appellants would be entitled to 35% of the total consideration amount and the respondent would be entitled to 65% of the total consideration amount.

In view of the agreement and settlement between the parties, as stated in the civil application, the second appeal is disposed of as compromised on

the terms and conditions stated in the civil application.

The civil application is allowed and disposed of accordingly.

The judgment and decree passed by the trial Court on 04.03.1996 and judgment and decree passed by the appellate Court on 28.02.2006 is hereby set aside.

The second appeal is disposed of in terms of the compromise stated in the Civil Application No. 5694/2007.

JUDGE

APTE